

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI  
December 2, 2008

The City Council convened in Regular Session on Tuesday, December 2, 2008, at 7:00 P.M. in the Council Chambers on the fourth floor of City Hall, 200 North Second Street, with Vice President of the Council Larry Muench, presiding, and the Honorable Mayor Patricia M. York and Members of the Council present as follows: Dave Beckering, Erv Ermeling, Laurie Feldman, Michael Klinghammer, Ron Stivison, and Richard Veit. President of the Council Jerry Reese arrived during the meeting as reported in the record. Absent: Bob Kneemiller, and Michael Weller. The City Clerk, Marilyn K. McCoy, was present and performed the duties of that office.

File #46969

The meeting was opened with the Invocation, those present standing in a moment of silence, followed by the Pledge of Allegiance to the Flag.

A motion was made by RICHARD VEIT to excuse the absences of Councilmember Bob Kneemiller and Councilmember Michael Weller. MICHAEL KLINGHAMMER seconded the motion. All voted in favor, motion passed.

**PUBLIC HEARINGS**

The President of the Council Jerry Reese announced that the following Public Hearings would now be held.

- A. Budget of the City of Saint Charles, Missouri, Fiscal Year 2009 (***Council Bill 9813***)
- B. Capital Improvement Plan, Fiscal Years 2009-2014 (***Resolution***)

**Recess of the Public Hearing and Convening of the Regular Council Meeting**

At 7:25 p.m., a motion was made by LAURIE FELDMAN to recess the Public Hearing, to convene the Regular Council Meeting, and to advance Council Bills 9812 and 9813 on the agenda. MICHAEL KLINGHAMMER seconded the motion. A roll call vote was taken, with the following results: "Aye": Feldman, Klinghammer, Muench, Reese, Stivison, Veit, Beckering, and Ermeling. "Nay": None. Absent: Kneemiller and Weller. Motion passed.

**Bill 9812 (*Amended*)**

An Ordinance Amending Ordinance Number 07-316 by Amending Certain Revenue, Expenditure, and Fund Balance Accounts for the Budget for the Fiscal Year 2008 (Budget Amendment #6) (*Sponsors: Jerry Reese, Larry Muench, and Laurie Feldman*)

**Bill 9813**

An Ordinance Adopting a Budget for the City for the Period from January 1, 2009 to December 31, 2009, and Appropriating Money in the City Treasury to Pay the Cost of Operating the City Government During That Period in Accordance with the Budget (*Sponsors: All Members of the City Council*)

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A motion was made by LAURIE FELDMAN to amend Council Bill 9812, as follows: 1) Delete from the 2008 operating budget the following items: (a) City hall renovations of \$250,000 from the CIP sales tax fund and the general revenue fund; (b) I-70 and Highway 94 Interchange Improvements (brick pavers) of \$207,000 from CIP sales tax fund; (c) Art feature of \$50,000 for 3<sup>rd</sup> Street and Tecumseh from the Gaming Streets Fund; (d) Beautification projects of \$45,018 from beautification fund; (f) North main Street Study of \$150,000 from gaming economic development fund; (g) One hundred acre site development of \$48,898 from gaming economic development fund; (h) Economic Development funds of \$200,000 from gaming economic development fund; (i) MKT Depot Renovations of \$45,000 from general fund; (j) Home Grant for retaining walls, etc., of \$50,000 from general fund; (k) Beautification Sign of \$49,000 from beautification fund; (l) Replay equipment for cable department of \$30,000 from general fund; (m) High visibility street markings of \$40,000 from CIP sales tax fund; (n) North 94/370 enhancements of \$100,000 from gaming economic development fund; and (i) to reallocate dollars and projects among the general fund, gaming funds and CIP sales tax fund to balance each funding source; and to amend Council Bill 9813 as follows: 1) Delete \$200,000 for the Pavilion project from the Gaming Facilities Fund account number 430-0501-73 and reallocate \$200,000 of gaming revenue to the general fund; 2) Delete \$58,000 for outside public relations from the Tourism Fund account number 218-1801-33; and 3) Insert in the police department budget: (a) \$2,500 of salary and related benefits to upgrade one Police Services Technician position to a Lead Police Services Technician; and (b) \$24,000 of additional salary and benefits to fund additional pooled police dispatcher part-time hours. LARRY MUENCH seconded the motion. Discussion was held relative to the motion, including division of the motion. Councilmember Laurie Feldman withdrew the motion.

A motion was made by LAURIE FELDMAN to amend Council Bill 9812, as follows: 1) Delete from the 2008 operating budget the following items: (a) City hall renovations of \$250,000 from the CIP sales tax fund and the general revenue fund; (b) I-70 and Highway 94 Interchange Improvements (brick pavers) of \$207,000 from CIP sales tax fund; (c) Art feature of \$50,000 for 3<sup>rd</sup> Street and Tecumseh from the Gaming Streets Fund; (d) Beautification projects of \$45,018 from beautification fund; (f) North main Street Study of \$150,000 from gaming economic development fund; (g) One hundred acre site development of \$48,898 from gaming economic development fund; (h) Economic Development funds of \$200,000 from gaming economic development fund; (i) MKT Depot Renovations of \$45,000 from general fund; (j) Home Grant for retaining walls, etc., of \$50,000 from general fund; (k) Beautification Sign of \$49,000 from beautification fund; (l) Replay equipment for cable department of \$30,000 from general fund; (m) High visibility street markings of \$40,000 from CIP sales tax fund; (n) North 94/370 enhancements of \$100,000 from gaming economic development fund; and (i) to reallocate dollars and projects among the general fund, gaming funds and CIP sales tax fund to balance each funding source. LARRY MUENCH seconded the motion. A roll call vote was taken, with the following results: "Aye": Klinghammer, Muench, Reese, Stivison, Veit, Beckering, Ermeling, and Feldman. "Nay": None. Absent: Kneemiller and Weller. Motion passed.

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A motion was made by LAURIE FELDMAN to amend Council Bill 9813 as follows: 1) Delete \$200,000 for the Pavilion project from the Gaming Facilities Fund account number 430-0501-73 and reallocate \$200,000 of gaming revenue to the general fund; 2) Delete \$58,000 for outside public relations from the Tourism Fund account number 218-1801-33; and 3) Insert in the police department budget: (a) \$2,500 of salary and related benefits to upgrade one Police Services Technician position to a Lead Police Services Technician; and (b) \$24,000 of additional salary and benefits to fund additional pooled police dispatcher part-time hours. LARRY MUENCH seconded the motion. A roll call vote was taken, with the following results: "Aye": Muench, Feldman, and Klinghammer. "Nay": Reese, Stivison, Veit, Beckering, and Ermeling. Absent: Kneemiller and Weller. Motion failed.

Recess and Reconvene

At 8:04 p.m., a motion was made by LAURIE FELDMAN to recess the Regular Council Meeting. DAVE BECKERING seconded the motion. All voted in favor, motion passed. The Regular Council Meeting reconvened at 8:14 p.m., with the President of the Council Jerry Reese, presiding, and the Honorable Mayor Patricia M. York and Members of the Council present as follows: Dave Beckering, Erv Ermeling, Laurie Feldman, Michael Klinghammer, Larry Muench, Ron Stivison, and Richard Veit. Absent: Bob Kneemiller and Michael Weller.

**Bill 9813**

An Ordinance Adopting a Budget for the City for the Period from January 1, 2009 to December 31, 2009, and Appropriating Money in the City Treasury to Pay the Cost of Operating the City Government During That Period in Accordance with the Budget  
(Sponsors: All Members of the City Council)

A separate vote was taken on Council Bill 9813, with the following results:

**Passed** "Aye": Muench, Reese, Stivison, Veit, Beckering, Ermeling, Feldman, and Klinghammer  
"Nay": None  
Absent: Kneemiller and Weller

**Approved** by the Honorable Mayor on December 12, 2008, and is known as **Ordinance 08-270**; except for the Line Item vetoed by the Honorable Mayor on December 12, 2008.

A motion was made by DAVE BECKERING to advance to Public Comment. RICHARD VEIT seconded the motion. All voted in favor, motion passed.

PUBLIC COMMENT RELATIVE TO AGENDA ITEMS

Council Bill 9824 Relative to Supplemental Agreement No. 3 to the Contract with Dave Kolb Grading, Inc. for the Pearl Ridge Storm Sewer Extension Project

A resident of the Pearl Ridge Subdivision gave a presentation relative to the flooding issues at the Pearl Ridge Subdivision.

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**Karen Rice**, 452 Pearl Ridge Ct., presented Fire Chief Ernie Rhodes with a poster thanking the Fire Department for the assistance given to the residents of the Pearl Ridge Subdivision during the recent flooding.

Public Hearings (Continued)

At the conclusion of the following public hearings, the Regular Session continued with the order of business:

- C. Case No. CU-26-08. (Porlier Outdoor Advertising). The applicant is requesting approval of a conditional use permit from Section 156.743 (Billboards) within the C-2 General Business District for the construction of a digital billboard on Lot 26 of Little Hills Industrial Park, also known as 521 Little Hills Industrial Boulevard. The lot is located north of Highway 370 and just west of North Highway 94. The subject property is 0.38 acres and is located in Ward One. **(RCA Attached)**
- D. Case No. CU-27-08. (Porlier Outdoor Advertising). The applicant is requesting approval of a conditional use permit from Section 156.743 (Billboards) within the C-3 Highway Business District for the construction of a digital billboard on part of Lot 36, Block 6 of Steen & Cunningham's Subdivision, also known as 1805 Veterans Memorial Parkway. The subject property is 0.76 acres and is located in Ward Three. **(RCA Attached)**
- E. Case No. CU-30-08. (Big St. Charles Motorsports, LLC) An application for a conditional use permit for automotive sales, display and repair, specifically relative to motorcycles, ATV's, etc, from Section 156.034(C)(1)(a) at 3830 West Clay Street in the C-3 Highway Business District. The subject property is 4.96 acres and is located in Ward Six. **(Tabled by Planning and Zoning Commission; therefore the Public Hearing should be tabled until January 6, 2009).**
- F. Case No. CU-32-08. (Mid America Advertising, Inc). The applicant is requesting approval of a conditional use permit from Section 156.743 (Billboards) within the C-2 General Business District for the construction of a digital billboard at 1550 South Highway 94. The subject property is 1.96 acres and is located in Ward Three. **(RCA Attached)**
- G. Case No. CU-33-08. (OASIS Food Pantry). The applicant is requesting approval of a conditional use permit from Section 156.034(C)(1)(a) within the C-3 Highway Business District for the expansion of an existing thrift store and food pantry at 1806, 1812 and 1814 Boone's Lick Road. The subject property is 1.08 acres and is located in Ward Two. **(RCA Attached)**
- H. Case No. CU-34-08. (Sansone Shoppes at Mallard Pointe). The applicant is requesting approval of a conditional use permit from Section 156.033(C)(1)(a) within the C-2 General Business District for In-Vehicle Sales and Service (Drive-Thru Restaurant) at 3754 Elm Street. The subject property is 2.56 acres and is located in Ward Eight. **(RCA Attached)**

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- I. Case No. Z-15-08. An application to rezone a parcel of land located at 420 Hemsath Road. The applicant is requesting to rezone the property from the County R-1E Single-Family Residential to the City R-1E Single Family Residential District. The property, located along the northeast side of Hemsath Road, contains approximately 4.02 acres. (Ward 3) (**Council Bill 9814**)

RESOLUTIONS/AWARDS/PROCLAMATIONS

A Resolution Adopting the Capital Improvement Program for the City of Saint Charles, Missouri, for the Fiscal Years 2009 Through 2013 (*Sponsors: Richard Veit, Larry Muench, Laurie Feldman, Bob Kneemiller, Michael Weller, Jerry Reese, Dave Beckering, Michael Klinghammer, Ron Stivison, Erv Ermeling*)

**Passed** "Aye": Ermeling, Feldman, Klinghammer, Muench, Reese, Veit, and Beckering

"Nay": None

Absent: Kneemiller, Stivison, and Weller

**Approved** by the Honorable Mayor on December 9, 2008, and is known as **Resolution R08-34**

PUBLIC COMMENT RELATIVE TO AGENDA ITEMS

Council Bill 9805 Relative to Purchase of a Tract of Land Located on Boschertown Road  
**Robert Scott**, 417 South Duchesne, spoke in opposition to Council Bill 9805.

BILLS FOR FINAL PASSAGE

**Bill 9804**

An Ordinance Authorizing a Contract with Fred M. Luth & Sons, Inc. for the North Main Sanitary Sewer Replacement Project in an Amount Not to Exceed \$210,971.40

(*Sponsors: Richard Veit, and Michael Klinghammer*)

**Passed** "Aye": Feldman, Klinghammer, Muench, Reese, Veit, Beckering, and Ermeling

"Nay": None

Absent: Kneemiller, Stivison, and Weller

**Approved** by the Honorable Mayor on December 9, 2008, and is known as **Ordinance 08-251**

**Bill 9805 (Referred to the Street Committee Meeting Scheduled for December 9, 2008)**

An Ordinance Authorizing a Purchase and Sale Agreement with Gerald O. Corriveau and Diane B. Corriveau for the Purchase of a Vacant 2.729 Acre Tract of Land Located on Boschertown Road in an Amount Not to Exceed \$618,000.00 (*Sponsor: Michael*

*Klinghammer*)

Councilmember Erv Ermeling voiced concern at the cost of the property. Sponsor Michael Klinghammer referred Council Bill 9805 to the Street Committee Meeting scheduled for December 9, 2008.

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**Bill 9806**

An Ordinance Authorizing Amendment No. 1 to the Wastewater and Sewage Treatment Agreement with East Central Missouri Water and Sewer Authority (ECM) for Wastewater Discharge into the City's Sewer System (*Sponsor: Michael Klinghammer*)

**Passed** "Aye": Feldman, Klinghammer, Muench, Reese, Veit, Beckering, and Ermeling  
"Nay": None  
Absent: Kneemiller, Stivison, and Weller

**Approved** by the Honorable Mayor on December 9, 2008, and is known as **Ordinance 08-252**

**Bill 9807**

An Ordinance Authorizing a Contract with D. Co Marketing, Inc. for the Purchase and Installation of a Replacement Video Fileserver System for the City's Video Production Operation/Cable T.V. Office in an Amount Not to Exceed \$137,098.06 (*Sponsor: Ron Stivison*)

**Passed** "Aye": Feldman, Klinghammer, Muench, Reese, Veit, Beckering, and Ermeling  
"Nay": None  
Absent: Kneemiller, Stivison, and Weller

**Approved** by the Honorable Mayor on December 9, 2008, and is known as **Ordinance 08-253**

**Bill 9808**

An Ordinance Authorizing the Mayor and City Clerk to Execute the Submittal of a Three-Year Consolidated Plan 2009-2011 and Annual Action Plan to the U.S. Department of Housing and Urban Development for the Use of Community Development Block Grant Funds for Fiscal Year 2009 (*Sponsor: Jerry E. Reese, Laurie Feldman, Richard Veit*)

**Passed** "Aye": Feldman, Klinghammer, Muench, Reese, Veit, Beckering, and Ermeling  
"Nay": None  
Absent: Kneemiller, Stivison, and Weller

**Approved** by the Honorable Mayor on December 4, 2008, and is known as **Ordinance 08-250**

**Bill 9809 (Referred to the Council Work Session Scheduled for December 9, 2008)**

An Ordinance Creating a New Section to Chapter 54 of the Code of Ordinances to be Known as Section 54.058 Pertaining to Payment of Damages for Obstructing Access to Residential or Business Driveways for Periods in Excess of Seventy-Two Continuous Hours (*Sponsor: Bob Kneemiller*)

Council Bill 9809 was referred to the Council Work Session scheduled for December 9, 2008.

**Bill 9810**

An Ordinance Approving the Record Plat for Fischer Industrial Triangle, a Subdivision of the City of Saint Charles, Missouri (*Sponsors: Bob Kneemiller and Larry Muench*)

**Passed** "Aye": Feldman, Klinghammer, Muench, Reese, Veit, Beckering, and Ermeling  
"Nay": None  
Absent: Kneemiller, Stivison, and Weller

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*Approved* by the Honorable Mayor on December 9, 2008, and is known as **Ordinance 08-254**

**Bill 9811** (*Referred to the Street Committee Meeting Scheduled for December 9, 2008*)

An Ordinance Authorizing the Mayor and City Clerk to Accept a Deed of Dedication for Kircher Drive (*Sponsor: Bob Kneemiller*)

A motion was made by LARRY MUENCH to refer Council Bill 9811 to the Street Committee Meeting scheduled for December 9, 2008. RICHARD VEIT seconded the motion. All voted in favor, motion passed.

**Bill 9812** (*Amended*)

An Ordinance Amending Ordinance Number 07-316 by Amending Certain Revenue, Expenditure, and Fund Balance Accounts for the Budget for the Fiscal Year 2008 (Budget Amendment #6) (*Sponsors: Jerry Reese, Larry Muench, and Laurie Feldman*)

An amendment was made to Council Bill 9812 previously as reported on Page 317 of the record. A motion was made by LAURIE FELDMAN to further amend Council Bill 9812 to recognize bond proceeds and appropriations related to the NID bond sale. LARRY MUENCH seconded the motion. All voted in favor, motion passed.

**Bill 9813**

An Ordinance Adopting a Budget for the City for the Period from January 1, 2009 to December 31, 2009, and Appropriating Money in the City Treasury to Pay the Cost of Operating the City Government During That Period in Accordance with the Budget (*Sponsors: All Members of the City Council*)

Council Bill 9813 was previously approved by the Council as reported on Page 318 of the Record.

**BILLS FOR INTRODUCTION**

The following Council Bills were introduced:

**Bill 9814**

An Ordinance Rezoning to City Zoning District R-1E (Single-Family Residential District) from County Zoning District R-1E (Single-Family Residential District), a Parcel of Land Located at 420 Hemsath Road. (*Sponsors: Laurie Feldman and Larry Muench*)

**Bill 9815**

An Ordinance Authorizing Amendment No. 3 to the Contract with Information Technologies, Inc. (ITI) for the Lease of Police Computer Aided Dispatch (CAD) and Records Management Systems (RMS) for the Police Department in an Amount of \$97,456.00, for a Total Amount Not to Exceed \$437,450.51. (*Sponsor: Jerry E. Reese*)

**Bill 9816**

An Ordinance Amending Ordinance No. 08-18 by Revising Exhibit A, the List of Persons Authorized for Use of Account and "Specimen Signatures," Due to the Hiring of a New Purchasing Coordinator (*Sponsor: Jerry E. Reese*)

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**Bill 9817**

An Ordinance Authorizing an Engineering Services Contract with Terra Technologies, Inc. for the Design of the Emergency Creek Bank Stabilization Project in an Amount Not to Exceed \$239,470.00. (*Sponsors: Bob Kneemiller, Dave Beckering*)

A request was made that Council Bill 9817 be placed on the Special Council Meeting scheduled for December 9, 2008, for Final Passage.

**Bill 9818**

An Ordinance Approving a Certificate of Completion; and Authorizing Payment of \$1,790,000.00 from the Project Fund in Connection with Phase Ten-A of the New Town at St. Charles Neighborhood Improvement District (*Sponsor: Michael Klinghammer*)

**Bill 9819**

An Ordinance Authorizing Amendment Number 7 to the Contract with Environmental Management Corporation (EMC) for Professional Management, Engineering and Construction Services Relating to the Mississippi River Wastewater Treatment Plant Interceptor Pump Station and Force Main Project. (*Sponsor: Michael Klinghammer*)

**Bill 9820**

An Ordinance Amending Chapter 39 of the Code of Ordinances by Adding One New Section, to be Known as Sections 39.07, Pertaining to Release and Settlement of Claims filed against the City (*Sponsor: Bob Kneemiller*)

**Bill 9821**

An Ordinance Repealing Ordinance No. 08-207 and Enacting a New Ordinance Providing for a Two and One-half Percent (2.5%) Salary Increase for Non-represented Employees and Moving Represented Employees' Salary to Their Respective Labor Agreement (*Sponsors: Jerry E. Reese, Laurie Feldman, Dave Beckering*)

**Bill 9822**

An Ordinance Computing the Final Costs Of Certain Improvements Within the Phase Ten-A Area of the New Town at St. Charles Phase Ten Neighborhood Improvement District; Apportioning the Cost of Such Improvements Among the Properties Benefited; Assessing the Final Costs as Special Assessments; and Providing Further Authority, All Pursuant to the Neighborhood Improvement District Act. (*Sponsor: Michael Klinghammer*)

**Bill 9823**

An Ordinance Approving the Record Plat for Resubdivision of Lot 4 of Fountain Lakes Commerce Center, Plat 7, a Subdivision in the City of St. Charles, Missouri. (*Sponsor: Michael Klinghammer*)



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**Bill 9824**

An Ordinance Authorizing Supplemental Agreement No. 3 to the Contract with Dave Kolb Grading, Inc. for the Pearl Ridge Storm Sewer Extension Project in an Amount of \$80,300.00, for a Total Amount Not to Exceed \$1,060,654.00. (*Sponsor: Laurie Feldman*)

**Bill 9825**

An Ordinance Authorizing a Contract with Arthur J. Gallagher Risk Management Services, Inc., to Place Various Lines of Insurance Coverage and Third Party Administration Services in an Amount Not to Exceed \$722,599.00. (*Sponsor: Jerry Reese*)

**Bill 9826**

An Ordinance Repealing Ordinance 08-215 and Enacting a New Ordinance Authorizing the Mayor and City Clerk to Execute a Contract with Colliers Turley Martin Tucker to Provide Real Estate Brokerage Services for the Sale, Solicitation, Advertising and Negotiation for the Sale of an Approximate 22.5 Acre Parcel of City Property Located Near Highway 370 and Little Hills Expressway. (*Sponsors: Jerry E. Reese, Richard Veit*)

**CONSENT AGENDA**

Councilmember Richard Veit removed *Item 8.D.2. Request for Authorization to fill vacant positions in the Convention and Visitors Bureau, Item 8.D.3. Request for Authorization to fill vacant positions in the Police Department, Item 8.D.4. Request for Authorization to fill vacant positions in the Public Work Department, Item 8.D.5. Request for Authorization to fill vacant positions in the Information Technology Department, and Item 8.D.6 Request for Authorization to fill vacant position in the Finance Department* from the consent agenda. A motion was made by LARRY MUENCH to receive and approve the balance of the Consent Agenda. DAVE BECKERING seconded the motion. A roll call vote was taken, with the following results: "Aye": Feldman, Klinghammer, Muench, Reese, Veit, Beckering, and Ermeling. "Nay": None. Absent: Kneemiller, Stivison, and Weller. Motion passed.

A. Approval of Council Minutes

1. Regular Council Meeting of November 4, 2008
2. Public Hearing of November 4, 2008

File #46970

3. Regular Council Meeting of November 18, 2008
4. Public Hearing of November 18, 2008

File #46971

B. Approval of Council Committee Reports

1. Approval of Council Committee Minutes
  - a. Council Work Session of November 4, 2008

File #46725

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| File #46725 | b. | Council Work Session of November 10, 2008              |
| File #46776 | c. | Finance & Audit Committee Meeting of November 18, 2008 |
| File #46775 | d. | Street Committee Meeting of November 18, 2008          |
2. Approval of Council Committee Motions/Actions/Recommendations
- |      |   |
|------|---|
| a.   | Council Work Session of November 4, 2008 ( <b>None</b> )  |
| b.   | Council Work Session of November 10, 2008   |
| i.   | Motion to decrease sales tax projection to -1%  |
| ii.  | Motion Implement a hiring freeze; and that any open position can be filled by approval of the City Council upon recommendation of the position by the Department Director, Director of Administration and the Mayor |
| iii. | Move necessary funds out of General Reserve Funds to add Items 1 – 6 reference in the Memo dated November 7, 2008 to Calendar Year 2009 totaling \$4,555.00   |
| iv.  | Insert additions, deletion and used of unspent current year and prior year funds included in the Memo dated November 7, 2008  |
| v.   | Revise ST-21 Diekamp Lane Reconstruction (Old 94 to end of Pavement) to reflect \$275,000 in CY 2009, and \$605,000 in CY 2010  |
| c.   | Finance & Audit Committee Meeting of November 18, 2008  |
| i.   | Recommend Department Reports along with a Proposed Time Frame be more concise   |
| ii.  | Recommend that Public Works report and other department reports be drafted with the same format   |
| d.   | Street Committee Meeting of November 18, 2008   |
| i.   | Recommend staff to forward Street Creep Damage Prevention Policy to City Attorney for review  |
| ii.  | Accept bid of Geotechnology, Inc for exploring, analyzing, developing remedies, developing final plans and specifications, and associated services for Mel Wetter Parkway Slope Repair Project                      |
| iii. | Motion to amend the recommendation that was made at the October 14, 2008 Street Committee meeting   |
- C. Receipt of Reports from Boards, Commissions or Committees
- |             |    |  |
|-------------|----|--|
| File #46762 | 1. | Planning and Zoning Commission Meeting of September 22, 2008 |
| File #46762 | 2. | Planning and Zoning Commission Meeting of October 27, 2008   |

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3. Board of Public Works Meeting of October 16, 2008
    - a. Contract with Jacobs Engineering Group for design of improvement to Elm Point Water Treatment Plant
    - b. Recommendation for purchase of Catch Basin/Sewer Cleaner
    - c. Motion to recommend an amendment to the contract with ECM to charge City residents on ECM sewer 36 cents less the City resident rate.
    - d. Motion to approve contract with Fred M. Luth & Sons, Inc. for Houston and Waverly Sanitary Sewer project in an amount not to exceed \$118,523.00
    - e. Motion to recommend acceptance of water and sanitary sewer utilities at Bogey Club Phase 2 and release escrow funds for said improvements.
    - f. Motion recommend acceptance of sanitary sewer utilities of Enterprise Leasing

File #46765

4. St. Charles Park & Recreation Board Meeting of September 18, 2008

File #46760

5. St. Charles Park & Recreation Board Meeting of October 22, 2008

File #46760

D. Receipt of Reports of the Director of Administration

1. Notice of Emergency Purchase

File #46711

2. Request for Authorization to fill vacant positions in the Convention and Visitors Bureau

REMOVED FROM THE CONSENT AGENDA

3. Request for Authorization to fill vacant positions in the Police Department

REMOVED FROM THE CONSENT AGENDA

4. Request for Authorization to fill vacant positions in the Public Work Department

REMOVED FROM THE CONSENT AGENDA

5. Request for Authorization to fill vacant positions in the Information Technology Department

REMOVED FROM THE CONSENT AGENDA

6. Request for Authorization to fill vacant position in the Finance Department

REMOVED FROM THE CONSENT AGENDA

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- E. Approval of Contracts and Easements from \$30,001 - \$99,999
1. Contract with Geotechnology for Exploring, Analyzing, Developing Remedies, Final Plans and Specifications for the Mel Wetter Parkway Slope Repair Project for an amount not-to-exceed \$47,590.00  
File #46972
2. Contract Amendment with St. Louis Post Dispatch for Advertising of Special Events in an amount not-to-exceed \$40,000.00  
File #46973
3. Contract Renewal with BG Services for Janitorial Services at City Hall, Senior Center, Criminal Justice Center and Convention and Visitors' Bureau in an amount not-to-exceed \$90,537.00  
File #46974
4. C/O #2 with Gerstner Electric for continued Street Light Maintenance in an amount not to exceed \$10,000.00  
File #46975
5. Contract Amendment with Deborah Alessi for Municipal Court Prosecution Services for an additional amount of \$3,750.00  
File #46976
6. Contract with Gerstner Electric, Inc. for the Fairgrounds Road Street lighting Project, Bid No. 3543 in an amount of \$75,937.00  
File #46977
- F. Preliminary Plats  
None
- G. Miscellaneous
1. Approval of Amendment to the Previously Approved Development Plan and Regulating Plan for the Streets of St. Charles at Noah's Ark Development Project at 1500 South Fifth Street within the PD-MU Planned Development-Mixed Use District – Planning & Zoning Case No. Z-14-06.  
File #46978
2. Approval of the Public Works Department 2008 Snow and Ice Control Policy  
File #46979
3. Authorization to negotiate with Plante & Moran for New Enterprise System  
File #46980
4. Approval of Liquor License for James F. Hoffmeister d/b/a St. Charles 18 Cine, located at 1830 First Capitol Drive  
File #46710

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ITEMS REMOVED FROM THE CONSENT AGENDA

Item 8.D.2. Request for Authorization to fill vacant positions in the Convention and Visitors Bureau

A motion was made by RICHARD VEIT to refer *Item 8.D.2 Request for authorization to fill vacant positions in the Convention and Visitors Bureau* to the Regular Council Meeting of December 16, 2008, due to the absences of three Councilmembers. ERV ERMELING seconded the motion. Discussion was held relative to referring this item to the December 16, 2008, Regular Council Meeting. Councilmember Richard Veit withdrew the motion.

A motion was made by RICHARD VEIT to refer *Item 8.D.2 Request for authorization to fill vacant positions in the Convention and Visitors Bureau* to the Regular Council Meeting of December 16, 2008. ERV ERMELING seconded the motion. A roll call vote was taken, with the following results: "Aye": Veit and Ermeling. "Nay": Reese, Beckering, Feldman, Klinghammer, and Muench. Absent: Stivison, Weller, and Kneemiller. Motion failed.

A motion was made by JERRY REESE to authorize the hiring of the vacant positions in the Convention and Visitors Bureau, as outlined in the report. LARRY MUENCH seconded the motion. A roll call vote was taken, with the following results: "Aye": Beckering, Ermeling, Feldman, Klinghammer, Muench, and Reese. "Nay": Veit. Absent: Stivison, Weller, and Kneemiller. Motion passed.  
File #46981

Item 8.D.3. Request for Authorization to fill vacant positions in the Police Department

A motion was made by RICHARD VEIT to authorize the hiring of three police officers and one police captain, as outlined in the report. MICHAEL KLINGHAMMER seconded the motion. A roll call vote was taken, with the following results: "Aye": Klinghammer, Muench, Reese, Veit, Beckering, Ermeling, and Feldman. "Nay": None. Absent: Kneemiller, Stivison, and Weller. Motion passed.

A motion was made by RICHARD VEIT to refer the request for hiring the Police Service Technician (civilian position) to the Regular Council Meeting of December 16, 2008, due to the absences of three Councilmembers. ERV ERMELING seconded the motion. A roll call vote was taken, with the following results: "Aye": Muench, Reese, Veit, Ermeling, and Feldman. "Nay": Beckering and Klinghammer. Absent: Kneemiller, Stivison, and Weller. Motion failed.

A motion was made by MICHAEL KLINGHAMMER to authorize the hiring of the Police Service Technician (civilian position), as outlined in the report. LARRY MUENCH seconded the motion. A roll call vote was taken, with the following results: "Aye": Muench, Beckering, and Klinghammer. "Nay": Reese, Veit, Ermeling, and Feldman. Absent: Stivison, Weller, and Kneemiller. Motion failed.  
File #46982

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Item 8.D.4. Request for Authorization to fill vacant positions in the Public Works Department

A motion was made by RICHARD VEIT to refer *Item 8.D.4 Request for authorization to fill vacant positions in the Public Works Department* to the Regular Council Meeting of December 16, 2008, due to the absences of three Councilmembers. ERV ERMELING seconded the motion. Discussion was held relative to referring this item to the December 16, 2008, Regular Council Meeting. Councilmember Richard Veit withdrew the motion.

A motion was made by JERRY REESE to authorize the hiring of all the vacant positions in the Public Works Department, as outlined in the report, except for the Water Systems Supervisor. MICHAEL KLINGHAMMER seconded the motion. A roll call vote was taken, with the following results: "Aye": Beckering, Feldman, Klinghammer, Muench, and Reese. "Nay": Veit and Ermeling. Absent: Weller, Kneemiller, and Stivison. Motion failed.

A motion was made by DAVE BECKERING to authorize the hiring of the vacant positions in the Public Works Department, as outlined in the report. LAURIE FELDMAN seconded the motion. A roll call vote was taken, with the following results: "Aye": Beckering, Ermeling, Feldman, Muench, and Reese. "Nay": Klinghammer and Veit. Absent: Weller, Kneemiller, and Stivison. Motion failed.

File #46983

Item 8.D.5. Request for Authorization to fill vacant positions in the Information Technology Department

A motion was made by RICHARD VEIT to refer *Item 8.D.5 Request for authorization to fill vacant positions in the Information Technology Department* to the Regular Council Meeting of December 16, 2008, due to the absences of three Councilmembers. ERV ERMELING seconded the motion. Discussion was held relative to referring this item to the December 16, 2008, Regular Council Meeting. Councilmember Richard Veit withdrew the motion.

A motion was made by JERRY REESE to authorize the hiring of the vacant positions in the Information Technology Department, as outlined in the report. LARRY MUENCH seconded the motion. A roll call vote was taken, with the following results: "Aye": Beckering, Ermeling, Feldman, Klinghammer, Muench, and Reese. "Nay": Veit. Absent: Kneemiller, Stivison, and Weller. Motion passed.

File #46984

Item 8.D.6. Request for Authorization to fill vacant position in the Finance Department

A motion was made by RICHARD VEIT to refer *Item 8.D.6 Request for authorization to fill vacant positions in the Finance Department* to the Regular Council Meeting of December 16, 2008, due to the absences of three Councilmembers. ERV ERMELING seconded the motion. Discussion was held relative to referring this item to the December 16, 2008, Regular Council Meeting. Councilmember Richard Veit withdrew the motion.

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A motion was made by JERRY REESE to authorize the hiring of the vacant position in the Finance Department, as outlined in the report. LARRY MUENCH seconded the motion. A roll call vote was taken, with the following results: "Aye": Feldman, Klinghammer, Muench, and Beckering. "Nay": Ermeling, Reese, and Veit. Absent: Kneemiller, Stivison, and Weller. Motion failed.  
File #46985

ANNOUNCEMENTS FROM COUNCILMEMBERS/MISCELLANEOUS

Written and/or Verbal Messages from the Councilmembers

*Pearl Ridge Storm Sewer Project.* Councilmember Laurie Feldman announced that a meeting is scheduled for the residents of the Pearl Ridge Subdivision on Wednesday, December 3, 2008, at 5:00 p.m. in the Council Chambers.

*Ward Three Neighborhood Association Meeting.* Councilmember Laurie Feldman announced that the Ward Three Neighborhood Association Meeting is scheduled for Wednesday, December 3, 2008, at 6:30 p.m. in the Council Chambers.

*Los Posadas.* Vice President of the Council Larry Muench announced that Los Posadas is scheduled for Saturday, December 6, 2008.

The Regular Council Meeting was adjourned at 9:37 p.m.

December 16, 2008  
Date Approved  
Marilyn L. McCoy  
City Clerk

Jerry Reese  
Jerry Reese, Presiding Officer